<u>REMARKS/ARGUMENTS</u>

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-28 are pending, Claims 1, 5, 7, 10, 11, 13,16, 17, 19 and 20-24 having been amended, and Claims 25-28 having been added by way of the present amendment. No new matter is added.

In the outstanding Office Action Claims 1-3, 4-9, 11-15, 17-21 and 23-24 were rejected as being anticipated by <u>Wilson et al.</u> (U.S. Patent No. 6,141,533 hereinafter <u>Wilson</u>); and Claims 4, 10, 16 and 22 were rejected as being unpatentable over <u>Wilson</u> in view of <u>Schmutz et al.</u> (U.S. Patent No. 6,748,212, hereinafter <u>Schmutz</u>).

As a preliminary matter, Applicants request that the Information Disclosure Statement of December 13, 2005 be acknowledged as being considered, by providing Applicants with an initialed copy of the 1449 form included with this IDS.

Claim 1 has been amended to define a communication system that includes a user node that is able to act as a server, a corresponding node that is able to request communications with the user node, and a relay node. The relay node remains in constant connection to the corresponding node and is able to act as a proxy of the user node to request to communicate with the corresponding node. The relay node and the user node act in combination as one virtual node. (Support for which is found in the specification, page 10). Furthermore, the relay node includes a first signal receiving unit that receives data from the corresponding node. A first data processing unit supplies the data to a program that is executed by a processor in the relay node according to a communication session identification number included in the data (support for which is found in the specification at page 19, first full paragraph). A signal data transmitting unit is included in the system and transmits the data processed by the first data processing unit to the user node. The user node

includes a second data processing unit that supplies the data to a program executed by another processor on the user node according to the communication session identification number included in the data.

An advantage of this approach is that in order to achieve the goal of a user node being able to continue to provide services or accept services even when the link between the user node and a corresponding node is broken, the relay node may serve as a proxy for the user node. Likewise, software or "middle-ware" is provided on the relay node and the user node so as to make the user nodes and the relay node act as a virtual node with respect to the corresponding node. Software running on the middle-ware is provided on the relay node for the user node to execute programs on the relay node. Therefore, even when the radio link between the user node and the corresponding node is broken, the relay node continues to provide services (or accept services), and therefore it is not necessary to change the system software or applications in the corresponding node.

There are several significant advantages of this approach. First not only is the user node (and the relay node) able to request communications with the corresponding node, but also the corresponding node is able to request communications with the user node and the relay node as well. Furthermore, the programs on the relay node and the user node process communication data with the same communication session ID so that the relay node and the user node act as one virtual node with respect to the corresponding node. Therefore the corresponding node need not differentiate between the relay node and the user node during communications.

Furthermore, the programs on the relay node and the user node that process the communications data with the same communication session ID, and so the task can be distributed between the relay node and the user node (see e.g., page 12, line 27 to page 13, line 2 as well as the description regarding Figures 5 and 6 e.g., page 28, line 30 to page 29,

line 20). Thus, even user nodes such as mobile phones, which have a relatively low capability, can be used with the relay node to provide a much more reliable communication system even if the mobile phone is using or relying on a service process being implemented on another device. Thus, the system is able to compensate for an unreliable communication link, and so it is possible to offset the performance so that user nodes do reduce the influence of the communication link that may be broken. Furthermore, the programs on the user node and the relay node can change how to process the communication data for link state. For example, when a radio link is broken during the audio communication, the relay node may record audio data from the corresponding node and reproduce the data for the user node without later loss of communication.

It is respectfully submitted that neither <u>Wilson</u>, nor <u>Schmutz</u> teach or suggest the communication system having the relay node and the user node implementing and executing the programs as claimed. Therefore, no matter how <u>Wilson</u> and <u>Schmutz</u> are combined, the combination does not teach or suggest all of the elements of Claim 1.

Although Claims 2-24 are of differing scope, and/or statutory class, it is respectfully submitted that these claims also patentably define over <u>Wilson</u> in view of <u>Schmutz</u> whether taken individually or in combination, for substantially the same reasons discussed above with regard to Claim 1.

New Claims 25-28 are dependent claims that include the feature of a relay node including a common storage unit that reads data from and transfers data to the user node when a communication link between the relay node and the user node is connected. Support for this feature is found throughout the specification, but at least at page 19, beginning at line 30 continuing into page 20, line 14. Therefore no new matter is added. As these dependent claims depend from an independent claim discussed above which itself patentably defines

over the asserted prior art, it is respectfully submitted that new Claims 25-28 also patentably

define over the asserted prior art.

Consequently, in view of the present amendment and in light of the foregoing

comments, it is respectfully submitted that the invention defined by Claims 1-28, as amended,

patentably defines over the asserted prior art. The present application is therefore believed to

be in condition for formal allowance and an early and favorable reconsideration of this

application is therefore requested.

Respectfully submitted,

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